



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: 2005-00264-YN

Issue Date: June 17, 2005

Expiration Date: July 08, 2005

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Roger Bardakjian
P.O. Box 956
Troy, NY 12181

ACTIVITY: Discharge fill material into waters of United States to facilitate the construction of a single family residence with an on site sewage disposal system.

WATERWAY: Wetlands and Unnamed Stream (Hudson River Basin)

LOCATION: Village of Voorheesville, Albany County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

CENAN-OP-RW
PUBLIC NOTICE NO. 2005-00264-YN

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

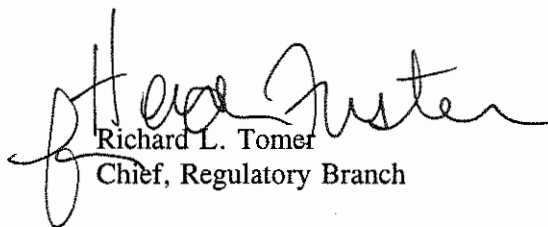
Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- Village of Voorheesville
- Albany County Health Department

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (518) 273-7420 and ask for Brad Sherwood.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer
Chief, Regulatory Branch

Enclosures

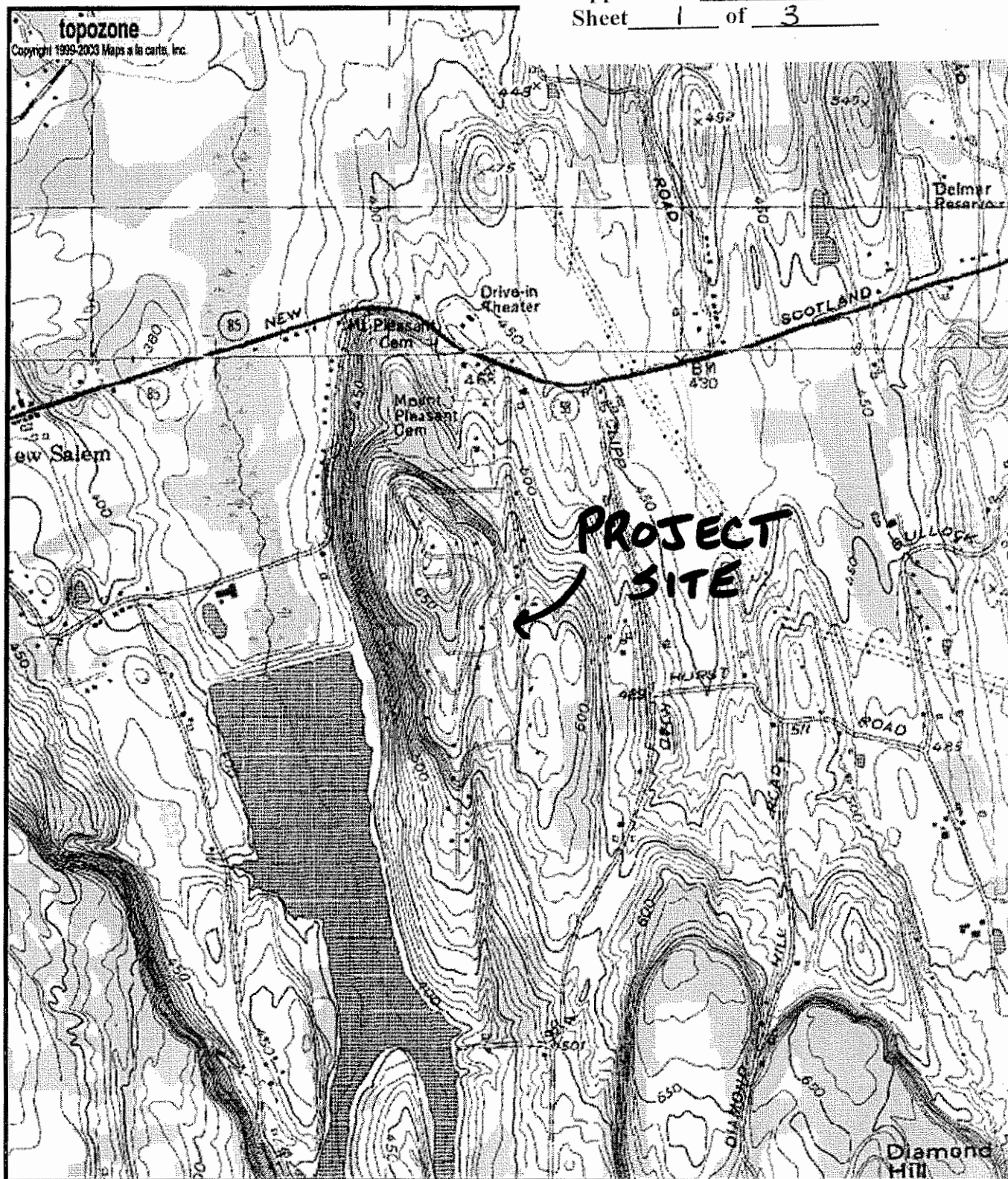
WORK DESCRIPTION

The applicant, Roger Bardakjian, has requested Department of the Army authorization to discharge fill material into waters of the United States to facilitate the construction of a single family residence and an on site sewage disposal system. The site is located between McGarr Road and Helderhill Road, Village of Voorheesville, Albany County, New York.

The work would involve the discharge of fill material into approximately 0.05 acres of waters of the United States, consisting of wetlands and approximately 300 linear feet of intermittent stream channel, in order to construct the single family residence and on site sewage disposal system. The entire 300 linear feet of intermittent stream channel would be piped through an 18-inch culvert. Less than one cubic yard of rip rap would be placed at the inlet and outlet to prevent erosion. The work would be performed during a time of low, or no flow, and would be accomplished with the use of a backhoe.

The applicant proposes to place a deed restriction on the remaining wetland on the property to prevent any further impacts to waters of the United States on the site.

The stated purpose of this project is to construct a single family home with an on site sewage disposal system, drilled well, and driveway which could be sold at the completion of the work.



0 0.3 0.6 0.9 1.2 1.5 km
0 0.2 0.4 0.6 0.8 1 mi

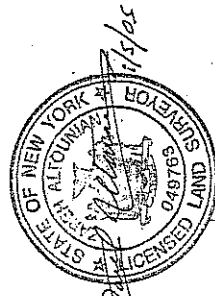
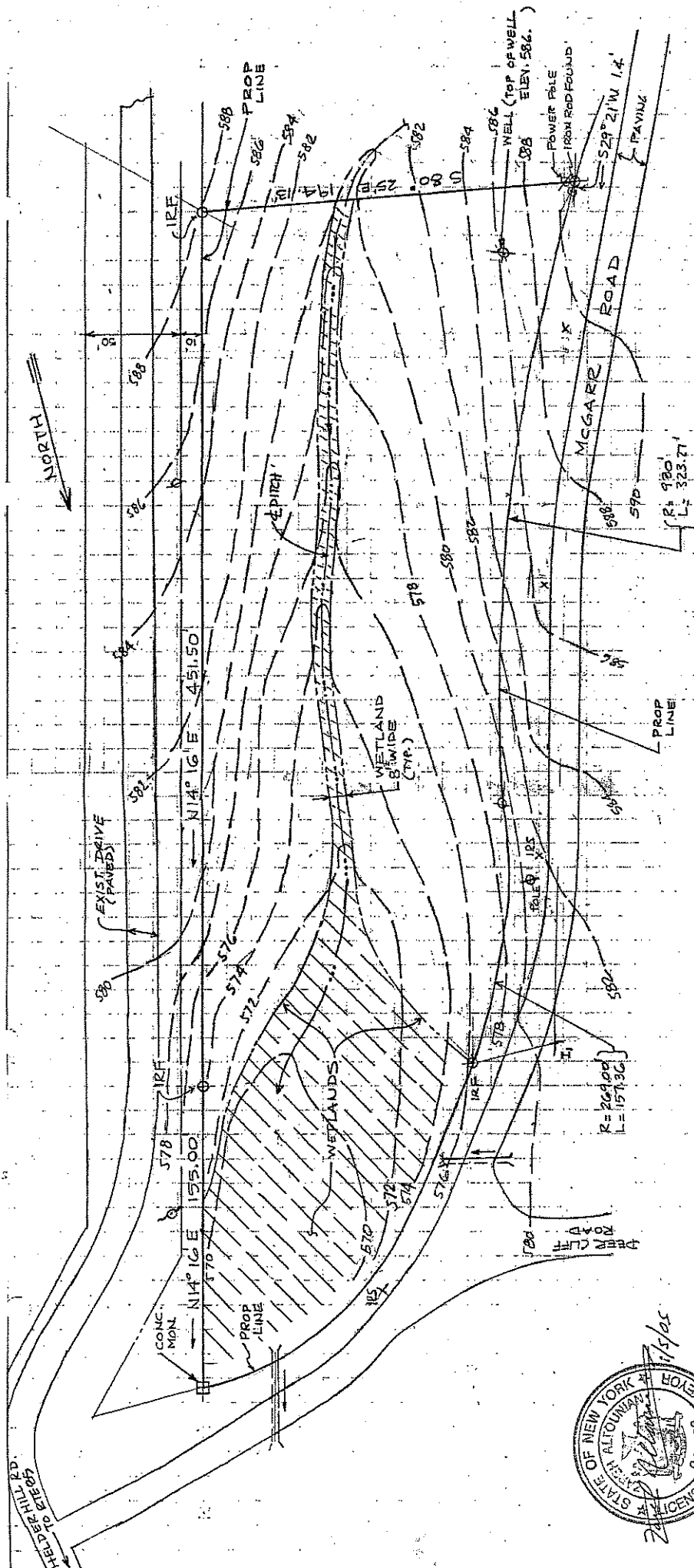
Map center is UTM 18 586465E 4718882N (WGS84/NAD83)
Clarksville quadrangle
Projection is UTM Zone 18 NAD83 Datum

M*
G
M=-14.109
G=0.714

Permit No.: 2005-002604-YN

Applicant: ROGER BARDAKIAN

Sheet 2 of 3



TOTAL AREA OF PROPERTY

= 2.1[±] ACRES

MAIN WETLAND AREA

= 0.43[±] ACRES (NO CHANGE PROPOSED)

DITCH WETLAND AREA

= 0.06[±] ACRES (TO BE DISTURBED)

PLAN

(SCALE: 1" = 80'-0")

WETLAND BOUNDARIES ARE SHOWN AS
INSTRUCTED BY HEIDI FIRSTENCEL OF ARMY
CORPS OF ENGINEERS AT A SITE INSPECTION
ON DEC. 1, 2004

WETLAND BOUNDARIES/
EXIST. CONDITIONS

MCGARR ROAD

TOWN OF NEW SCOTLAND

TAX MAP # 83.00 - 2-57

JAN 5, 2005

Sheet 3 of 3

BY: Z. AUTOUNI
TEL/FAX: 403-26278

REVISED: 2/5/05